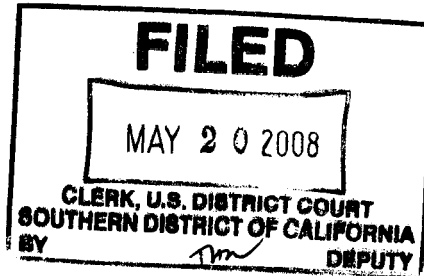


nusa



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Victor Manuel SANCHEZ-Silva,

Defendant.

Mag. Case No.

'08 MJ 8450

COMPLAINT FOR VIOLATION OF

Title 8, U.S.C., Section 1326
Deported Alien Found In the
United States

The undersigned complainant being duly sworn states:

On or about May 19, 2008, within the Southern District of California, defendant Victor Manuel SANCHEZ-Silva, an alien, who previously had been excluded, deported and removed from the United States to Mexico was found in the United States, without the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States code, section 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8, United States Code, Section 1326.

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

Senior Border Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 20th DAY OF MAY 2008.

PETER C. LEWIS
U.S. MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA

2 v.

3 Victor Manuel SANCHEZ-Silva

4
5 STATEMENT OF FACTS

6 The complainant states that this complaint is based upon the investigative reports by
7 Border Patrol Agent F. Guerra, that the Defendant, Victor Manuel SANCHEZ-Silva, was found
8 and arrested on May 19, 2008, west of Calexico, California.

9 On May 19, 2008, at approximately 6:45 A.M., Agents Schwer and Silva encountered a
10 group of individuals north of the International Boundary with Mexico approximately twenty-nine
11 miles west of Calexico, California. The agents identified themselves and questioned the group.
12 It was determined that the group, including on individual later identified as Victor Manuel
13 SANCHEZ-Silva, are citizens of Mexico and they are illegally in the United States. The group
14 was arrested and transported to the Imperial California Border Patrol Station.

15 Records revealed SANCHEZ had been previously removed from the United States on
16 October 17, 2000. SANCHEZ has an extensive and serious criminal history.

17 Agent G. Arredondo read SANCHEZ his rights as per Miranda. SANCHEZ stated he
18 understood his rights and was willing to speak with agents without the presence of an attorney.
19 SANCHEZ indicated he has no documents to be legally in the United States. When asked
20 SANCHEZ stated yes to having been previously deported from the United States. When asked if
21 he had sought or received permission from the United States Attorney General or the Secretary of
22 the Department of Homeland Security to re-enter the United States after being deported
23 SANCHEZ stated no.
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